

Testimony of Glen McLeod
In support of CT Fair Chance Employment Act
HB 5237

March 4, 2016

Dear Senator Gomes, Representative Tercyak and other distinguished members of the Labor Committee:

My name is Glen McLeod, I am 64 years old and I am from New Haven, Connecticut. My experience with the legal system's reach into the past is quite recent, and somewhat shocking.

I had been offered a position in October 2015, with a major life insurance company as an insurance producer. In the course of the background check questioning, I was asked about any past criminal history. I disclosed the convictions that I did recall, two incidents with bounced checks in 1974, to this company. But I was certain that there was another bounced check conviction in 1974 for \$40, so I called the local police department, who could not find it. It was then suggested I reach out to the US District Court Clerk, who, being unable to find anything herself, then referred me to the US District Attorney's Office.

In the meantime, the new employer also ran a background check on me, which came back completely clean, but, worried because I knew there was another misdemeanor, which was not showing up on anyone's records, and I wanted to be completely forthcoming with my past, I spoke to the assistant US District attorney, explained my situation, and asked if he could locate the incident. He said he would search and call me back when he had results.

When he called me back he had found **two** misdemeanors on my record, both involving bounced checks. Even though I left several messages, I did not receive that record, until after January 26, 2016.

I also reached out to the Connecticut State Police, as I was aware that a person could retrieve criminal records through them as well. I filled out the form, paid the \$50 fee, and was told they would be mailed to me. I never received them and due to a family member, who at that time, was dying of pancreatic cancer in Hawaii, I left for Hawaii mid-November to say goodbye to them. I was still worried about why my transgressions were not showing up, even when my new employer had their team search for any criminal history on me, and I mentioned it to my new employer upon my return, but was told I was "thinking too hard," so I let it go.

On January 26, 2016, at which point I was in training classes at the employer's facility, the fingerprint file reached them. At that time I was told that my record contained two additional incidents, the nature of which, to this day, is still a mystery to me – and to my former employer. The employer released me from my contract, believing I had

misrepresented my criminal history to them. I eventually received some records about my full criminal history, though I still do not recall exactly what these incidents were about because it has been over 40 years since they happened. In any case, it was too late.

Even after checking with the State Police, the US District Attorneys Office and the Connecticut record keeping facility in Enfield, CT, I am unable to learn the nature of the unknown offenses, as it has been 43 years, and any physical records have been destroyed.

It is disturbing that a record can exist and yet so many government agencies are unable to see the nature of the transgression. An employer, if finding a criminal file on me, will still be unable to determine the nature and severity of the crime. In a case such as mine, with minor offenses, occurring over the course of one year, when I was 22, the long term effects are exceedingly harsh.

HB 5327, with the requirement that employers only consider misdemeanors within the last two years of hiring, and felonies within the last five years, would have saved me my job. At my age, it is very difficult to find work so it is disheartening that these criminal records are preventing me from finding employment to this day.

I support Fair Chance Employment and hope the committee will vote favorably on HB 5237.

Thank you for your time,
Glen McLeod